

REMARKS

In the final Office Action, the Examiner rejects claims 30, 33, 34, 39, 41, 42, 44 and 45 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2005/0137996 to Billsus et al. (hereinafter "BILLSUS") in view of U.S. Patent No. 6,643,661 to Polizzi et al. (hereinafter "POLIZZI"); rejects claims 19, 20, 22-28 and 43 under 35 U.S.C. § 103(a) as allegedly unpatentable over BILLSUS and POLIZZI, and further in view of U.S. Patent No. 6,581,072 to Mathur et al. (hereinafter "MATHUR"); and rejects claims 35 and 36 under 35 U.S.C. § 103(a) as allegedly unpatentable over BILLSUS and POLIZZI, and further in view of U.S. Patent Application Publication No. 2005/0027666 to Beck et al. (hereinafter "BECK"). Applicants respectfully traverse these rejections.

By way of this Amendment, Applicants amend claims 30, 33, and 36 to improve form and cancel claims 19-20 and 22-28 without prejudice or disclaimer. No new matter has been added by the present Amendment. Claims 30, 33-36, 39, and 41-45 are pending.

Rejection under 35 U.S.C. § 103(a) based on BILLSUS and POLIZZI

Claims 30, 33, 34, 39, 41, 42, 44 and 45 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over BILLSUS in view of POLIZZI. Applicants respectfully traverse this rejection.

Amended independent claim 30 is directed to a system. The system includes a first server to store a document local to the first server, where the document includes news content, the document being created by the first server, embed search queries into the news content, and send a search query that was embedded within the news content across at least a portion of a network to a second server, in response to a user accessing the locally created document; and the

second server to crawl a corpus of news documents hosted at a plurality of remote servers to obtain news content, search the news content based on the search query to obtain search results, and provide particular news content to the first server based on the search results; the first server further to permit a plurality of users to access, from across the network, the locally created document that includes the news content and the particular news content received from the second server, where the first server, the second server, and the plurality of remote servers comprise different network devices that connect to the network. BILLSUS and POLIZZI, whether taken alone or in any reasonable combination, do not disclose or suggest one or more of these features.

For example, BILLSUS and POLIZZI do not disclose or suggest a first server to embed search queries into news content included in a document created by the first server, as recited in amended claim 30. The Examiner relies on paragraph [0035] and paragraph [0059] of BILLSUS for allegedly disclosing “a first server configured to send a search query that was embedded within the news content across at least a portion of a network to a second server” (final Office Action, pp. 5-6). Applicants submit that these sections (or any other sections) of BILLSUS do not disclose or suggest the above-noted feature of amended claim 30.

Paragraph [0035] of BILLSUS discloses:

In various exemplary embodiment, the client module 20 performs various functions, selected from a list including, but not limited to, extracting text 21 from one or more accessed documents 52 developed using commonly-used productivity applications 50, proactively transmitting 22 the extracted text to the server module 30, proactively notifying the user 23 of the existence of closely related previously accessed content found, providing an electronic connection 24 to closely related previously accessed content found, providing an explicit history 25 of the user's content found, accessed and/or retrieved, providing a menu 26 including a digest generation component used to specify a digest to be generated by the server module 30, and the like functions.

This section of BILLSUS discloses extracting text from one or more accessed documents developed using a productivity application, transmitting the extracted text to a server, notifying

the user of the existence of closely related, previously accessed content that has been found, providing a connection to the previously accessed content, providing an explicit history of the found content, and providing a digest to be generated. The Examiner appears to rely on the extracted text as allegedly corresponding to an embedded search query. However, amended claim 30 recites a first server to embed search queries into news content. Extracting text cannot be reasonably construed as corresponding to embedding a search query. In fact, “embedding” and “extracting”, as the terms are known in the art, refer to opposite operations. Therefore, this section of BILLSUS does not disclose or suggest a first server to embed search queries into news content included in a document created by the first server, as recited in amended claim 30.

Paragraph [0059] of BILLSUS discloses:

In various exemplary embodiments, the query generation circuit or routine 365 uses an algorithm that allows the server module to convert a text fragment of arbitrary length into a weighted query. In various exemplary embodiments, the server module uses the weighted query to retrieve related content for revisitation support or digest generation.

This section of BILLSUS discloses converting a text fragment of arbitrary length into a weighted query and using the weighted query to retrieve related content for revisitation support or digest generation. This section of BILLSUS does not disclose or suggest embedding search queries into news content. Therefore, this section of BILLSUS does not disclose or suggest a first server to embed search queries into news content included in a document created by the first server, as recited in amended claim 30.

POLIZZI does not overcome the deficiencies of BULLSUS set forth above with respect to the above-noted feature of claim 30. For example, the Examiner relies on POLIZZI to allegedly disclose a crawl server operable to crawl documents on server agents (final Office Action, p. 6). POLIZZI does not disclose or suggest embedding search queries into news content. Therefore, POLIZZI does not disclose or suggest a first server to embed search queries

into news content included in a document created by the first server, as recited in amended claim 30.

In the Response to Arguments section of the final Office Action, the Examiner again alleges that extracted text from an accessed document corresponds to an embedded search query (final Office Action, p. 4). However, amended claim 30 positively recites a first server to embed search queries into news content included in a document created by the first server. As explained above, extracting text cannot be reasonably held to correspond to embedding search queries. For example, extracting text implies an act of retrieving content from a document, while embedding implies an act of adding content to a document.

For at least the foregoing reasons, Applicants submit that claim 30 is patentable over BILLSUS and POLIZZI, whether taken alone or in any reasonable combination. Accordingly, Applicants respectfully request that the rejection of claim 30 under 35 U.S.C. § 103(a) based on BILLSUS and POLIZZI be reconsidered and withdrawn.

Claim 42 depends from claim 30. Therefore, this claim is patentable over BILLSUS and POLIZZI, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 30. Accordingly, Applicants respectfully request that the rejection of claim 42 under 35 U.S.C. § 103(a) based on BILLSUS and POLIZZI be reconsidered and withdrawn.

Claim 33 recites features similar to, yet possibly of different scope than, features discussed above with respect to claim 30. Therefore, claim 33 is patentable over BILLSUS and POLIZZI, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons set forth above with respect to claim 30. Accordingly, Applicants respectfully

request that the rejection of claim 33 under 35 U.S.C. § 103(a) based on BILLSUS and POLIZZI, be reconsidered and withdrawn.

Claims 34, 39 and 41 depend from claim 33. Therefore, these claims are patentable over BILLSUS and POLIZZI, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 33. Accordingly, Applicants respectfully request that the rejection of claims 34, 39 and 41 under 35 U.S.C. § 103(a) based on BILLSUS and POLIZZI be reconsidered and withdrawn.

Claims 44 and 45 depend from claim 36. The Examiner did not reject claim 36 under 35 U.S.C. § 103(a) based BILLSUS and POLIZZI. Rather, the Examiner rejected claim 36 under 35 U.S.C. § 103(a) based BILLSUS, POLIZZI, and BECK. Thus, Applicants respectfully submit that the rejection of claims 44 and 45 under 35 U.S.C. § 103(a) based BILLSUS and POLIZZI is improper. Applicants will address claims 44 and 45 below as if rejected under 35 U.S.C. § 103(a) based BILLSUS, POLIZZI, and BECK.

Rejection under 35 U.S.C. § 103(a) based on BILLSUS, POLIZZI, and MATHUR

Claims 19, 20, 22-28 and 43 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over BILLSUS and POLIZZI, further in view of MATHUR. Applicants respectfully traverse this rejection.

Applicants canceled claims 19, 20, and 22-28, thereby rendering the rejection of these claims moot.

Claim 43 depends from claim 30. Without acquiescing in the Examiner's rejection of claim 30, Applicants submit that the disclosure of MATHUR does not overcome the deficiencies in the disclosures of BILLSUS and POLIZZI set forth above with respect to claim 30.

Therefore, claim 43 is patentable over BILLSUS, POLIZZI, and MATHUR, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 30. Accordingly, Applicants respectfully request that the rejection of claim 43 under 35 U.S.C. § 103(a) based on BILLSUS, POLIZZI, and MATHUR be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 103(a) based on BILLSUS, POLIZZI, and BECK

Claims 35 and 36 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over BILLSUS and POLIZZI, further in view of BECK. Applicants respectfully traverse this rejection.

Claim 35 depends from claim 33. Without acquiescing in the Examiner's rejection of claim 35, Applicants submit that the disclosure of BECK does not overcome the deficiencies in the disclosures of BILLSUS and POLIZZI set forth above with respect to claim 33. Therefore, claim 35 is patentable over BILLSUS, POLIZZI, and BECK, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 33. Accordingly, Applicants respectfully request that the rejection of claim 35 under 35 U.S.C. § 103(a) based on BILLSUS, POLIZZI, and BECK be reconsidered and withdrawn.

Amended independent claim 36 is directed to one or more physical memory devices storing instructions executable by one or more processors. The one or more physical memory devices include one or more instructions to embed search queries within news content documents stored at a custom news server, where the embedded search queries comprise an applet or an iframe; one or more instructions to receive a selection of one of the news content documents from a user at a client; one or more instructions to retrieve one of the embedded search queries in response to receiving the selection of the one of the news content documents; one or more

instructions to send query data, comprising the one of the embedded search queries, to a news search server that has crawled a corpus of news documents hosted on other servers and stored information associated with the crawled documents in a repository of crawled documents; one or more instructions to receive news content from the news search server that is related to the query data; and one or more instructions to populate one or more documents of the news content documents with the received news content for access by the user. BILLSUS, POLIZZI, and BECK, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, BILLSUS, POLIZZI, and BECK do not disclose or suggest one or more instructions to embed search queries within news content documents stored at a custom news server, where the embedded search queries comprise an applet or an iframe, as recited in amended claim 36. The Examiner relies on paragraph [0035] and paragraph [0059] of BILLSUS for allegedly disclosing “a first server configured to send a search query that was embedded within the news content across at least a portion of a network to a second server” (final Office Action, p. 14). Applicants submit that these sections (or any other sections) of BILLSUS do not disclose or suggest the above-noted feature of amended claim 36.

Paragraph [0035] of BILLSUS is reproduced above. This section of BILLSUS discloses extracting text from one or more accessed documents developed using a productivity application, transmitting the extracted text to a server, notifying the user of the existence of closely related, previously accessed content that has been found, providing a connection to the previously accessed content, providing an explicit history of the found content, and providing a digest to be generated. The Examiner appears to rely on the extracted text as allegedly corresponding to an embedded search query. However, as explained above with respect to claim 30, extracting text

cannot be reasonably construed as corresponding to embedding a search query. In fact, “embedding” and “extracting”, as the terms are known in the art, refer to opposite operations. Therefore, this section of BILLSUS does not disclose or suggest one or more instructions to embed search queries within news content documents stored at a custom news server, where the embedded search queries comprise an applet or an iframe, as recited in amended claim 36.

Paragraph [0059] of BILLSUS is reproduced above. This section of BILLSUS discloses converting a text fragment of arbitrary length into a weighted query and using the weighted query to retrieve related content for revisitation support or digest generation. This section of BILLSUS does not disclose or suggest embedding search queries within news content documents. Therefore, this section of BILLSUS does not disclose or suggest one or more instructions to embed search queries within news content documents stored at a custom news server, where the embedded search queries comprise an applet or an iframe, as recited in amended claim 36.

POLIZZI and BECK do not overcome the deficiencies of BILLSUS set forth above with respect to claim 36.

The Examiner further admits that BILLSUS and POLIZZI do not disclose or suggest embedded search queries in the form of an applet or a hyper text markup language (HTML) iframe. The Examiner relies on paragraph [0024] of BECK for allegedly disclosing “the aforementioned feature” (final Office Action, p. 16). Applicants disagree with the Examiner’s interpretation of BECK.

Paragraph [0024] of BECK discloses:

In a preferred embodiment of the inventive system and method, interests, collected as user selections from among predefined answers, are associated (e.g., mapped) within the interactive online research system against frequently updated, sponsored lists of selected search engine keywords, for example, as provided by keyword auction providers. Based on the selected search engine keywords, a limited set of targeted online

sites or documents (or associated links) are selected and retrieved by the system for presenting to the user. These lists preferably are related to a finite number of selected sponsors, for example, five highest-paying sponsors, determined using information from the keyword auction provider. Upon selection of an interest by the user where the interactive online research system has a sponsor opportunity, the system (via the Web property) provides the user with links to the sponsor and/or redirects the user to a selected URL associated with the sponsor. A direct link may be provided, for example, by a separate Web page, a pop-up or pop-under, or most preferably, an HTML IFRAME (inline frame) referred hereinafter as a frame, tabbed window, or other window within a displayed page of the Web property.

This section of BECK discloses that user selections among predefined answers are mapped within an interactive online research system against frequently updated, sponsored lists of selected search engine keywords. Based on the selected search engine keywords, targeted online sites or documents are selected and retrieved for presenting to the user. Upon selection of an interest by the user, the system provides the user links to the sponsor and or redirects the user to a selected URL associated with the sponsor. A direct link may be provided by a separate web page, a pop-up or pop-under, or an HTML iframe. Thus, this section of BECK discloses a link to a sponsored site in the form of an HTML iframe. This section of BECK does not disclose or suggest an embedded search query in the form of an iframe. It is not clear how a link to a sponsored website can be construed as corresponding to an embedded search query. Applicants respectfully submit that such a correspondence is not reasonable. Therefore, this section of BECK does not disclose or suggest one or more instructions to embed search queries within news content documents stored at a custom news server, where the embedded search queries comprise an applet or an iframe, as recited in amended claim 36.

Therefore, even if BILLSUS and POLIZZI were to be combined with BECK, the combination would not disclose or suggest each of the features of claim 36. Further, even if for the sake of argument, the combination of BILLSUS, POLIZZI, and BECK could be fairly construed to disclose or suggest each of the features of claim 36, Applicants assert that the

reasons for combining BILLSUS, POLIZZI, and BECK clearly do not satisfy the requirements of 35 U.S.C. § 103.

For example, with respect to the reasons for combining BILLSUS, POLIZZI, and BECK, the Examiner alleges (final Office Action, p. 16):

It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Billsus and Polizzi's method to incorporate Beck's use of hyper text markup language iframe, thus enabling an interactive online research system, location an online site or document to present to a user.

Applicants submit that the Examiner's allegation is merely a conclusory statement of an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Applicants rely upon KSR International Co. v. Teleflex Inc., 550 U.S. 398, 127 S. Ct. 1727, 82 U.S.P.Q.2d 1385 (2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. In this case, no such articulated reasoning has been provided with respect to claim 36.

For example, the Examiner does not explain how links to sponsored websites, in the form of iframes, as disclosed by BECK, would be incorporated into extracting text from a document, as disclosed by BILLSUS, on which the Examiner relies as allegedly corresponding to embedding search queries. Applicants respectfully submit that such a combination is illogical. Furthermore, even if, for the sake of argument, links, in the form of iframes, were to be somehow incorporated into the process of extracting text form a document, as disclosed by BILLSUS, such a combination would not address the features of claim 36. Extracting text from a document, together with providing links to sponsored documents in the form of iframes, does not

reasonably correspond to one or more instructions to embed search queries within news content documents stored at a custom news server, where the embedded search queries comprise an applet or an iframe, as recited in amended claim 36.

For at least the foregoing reasons, claim 36 is patentable over BILLSUS, POLIZZI, and BECK, whether taken alone or in any reasonable combination. Accordingly, Applicants respectfully request that the rejection of claim 36 under 35 U.S.C. § 103(a) based on BILLSUS, POLIZZI, and BECK be reconsidered and withdrawn.

Claims 44 and 45 depend from claim 36. Therefore, these claims are patentable over BILLSUS, POLIZZI, and BECK, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 36. Accordingly, Applicants respectfully request that the rejection of claim 44 and 45 under 35 U.S.C. § 103(a) based on BILLSUS, POLIZZI, and BECK be reconsidered and withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of the pending claims.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order to expedite prosecution of this application.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a

reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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